

Patricia Sanchez

From: Earl, Catherine, NMCD <Catherine.Earl@state.nm.us>
Sent: Wednesday, September 19, 2018 3:11 PM
To: Patricia Sanchez
Cc: Brewster, Jim, NMCD; Garcia, Leslie A, NMCD
Subject: IPRA Request 18-329
Attachments: FW_ In re_ IPRA Request 18-195.pdf; Document Destruction Services.pdf

Ms. Sanchez:

This is in response to your August 23, 2018 IPRA request (tracking number 18-329).

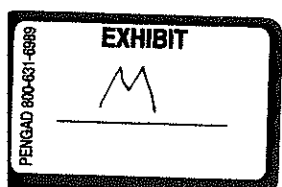
As previously indicated, the Department has no responsive documents to item number 1 of your request.

Regarding item 2 of your request and its request for internal NMCD correspondence related to your IPRA request dated April 17, 2018 (tracking number 18-165), the Department has no responsive documents. Regarding item 2 of your request for internal NMCD correspondence related to your May 14, 2018 IPRA request (tracking number 18-195), attached is an email to the Deputy Warden requesting the recreation documents. Pursuant to your request for documentation related to the destruction of the records in question, attached please find a certificate of destruction from PNM regarding the destruction of 301 banker boxes of documents. As you know, this office located and provided documents responsive to your April 17, 2108 IPRA request. When this office responded to your May 14, 2018 IPRA request on May 16 and told you that the Department no longer had any responsive documents, it was based on our understanding that the documents had already been destroyed. However, this office has since learned that this was not the case. While the documents (and other documents) had been designated for destruction, the actual destruction was not carried out until May 18 (see attached destruction certificate). When Mr. Lowry requested on May 17, 2018 that this office preserve the documents responsive to your May 14, 2018 IPRA request, this office thought at the time that the documents had already been destroyed and thus there was nothing it could do to preserve them. Again, the documents were destroyed on May 18, 2018. This office responds to hundreds of IPRA requests each year, and has limited staff to do so. Because of this, and in spite of our best efforts, mistakes happen. We apologize for the error.

The Department has no further responsive documents.

Catherine Earl
IPRA Paralegal
catherine_earl@state.nm.us
NMCD-OGC

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From: Patricia Sanchez <psanchez@rothsteinlaw.com>
Sent: Friday, August 31, 2018 2:39 PM
To: Earl, Catherine, NMCD <Catherine.Earl@state.nm.us>
Cc: Brewster, Jim, NMCD <Jim.Brewster@state.nm.us>; Garcia, Leslie A, NMCD <LeslieA.Garcia@state.nm.us>; Marc M. Lowry <mlowry@rothsteinlaw.com>
Subject: RE: IPRA Request 18-329

Thank Ms. Earl! My apologies for not being so clear with the request, as I thought I had referenced the Request Nos. in our letter. In any event, the IPRA Request Nos. are as follows:

No. 18-165 submitted on 4/17/18 for the period 9/13/11 – 9/13/12; and

No. 18-195 submitted on 5/14/18 for the period 9/14/12 to 3/6/14.

Let me know if you need any other clarification. Thank you for your assistance!

Regards,
Pat Sanchez

ROTHSTEIN | DONATELLI

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Senior Paralegal

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From: Earl, Catherine, NMCD <Catherine.Earl@state.nm.us>
Sent: Friday, August 31, 2018 11:05 AM
To: Patricia Sanchez <psanchez@rothsteinlaw.com>
Cc: Brewster, Jim, NMCD <Jim.Brewster@state.nm.us>; Garcia, Leslie A, NMCD <LeslieA.Garcia@state.nm.us>
Subject: RE: IPRA Request

Ms. Sanchez:

We receive over 34 requests per month. Please refer to the IPRA tracking number that is assigned to the response. It is very difficult to track by date. I will await the receipt of your tracking numbers for April and May, as indicated in your request.

From: Patricia Sanchez <psanchez@rothsteinlaw.com>
Sent: Thursday, August 23, 2018 2:19 PM
To: NMCD-IPRA <NMCD-IPRA@state.nm.us>; Earl, Catherine, NMCD <Catherine.Earl@state.nm.us>; Garcia, Leslie A, NMCD <LeslieA.Garcia@state.nm.us>; Brewster, Jim, NMCD <Jim.Brewster@state.nm.us>
Cc: Marc M. Lowry <mlowry@rothsteinlaw.com>; Theresa Duncan <teri@duncanearnest.com>
Subject: IPRA Request

Dear Sir/Madam:

Please find attached hereto correspondence from Attorney Marc Lowry outlining an IPRA request for your review and processing. Should you require anything further, please do not hesitate to contact our offices.

Respectfully,

Pat Sanchez

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